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C O N F I D E N T I A L PARIS 003382

SIPDIS

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TAGS: [KTFN](#) [PGOV](#) [PREL](#) [FR](#) [UNSC](#)

SUBJECT: FRENCH COMMENT ON U.S. PROPOSAL REGARDING THE 1267 COMMITTEE

REF: A. STATE 65363

[1](#)B. USUN NEW YORK 917

Classified By: ACTING POLITICAL COUNSELOR BRUCE TURNER, FOR REASONS 1.4
B/D

[1](#)1. (C) Summary: Poloff met May 19 with officials from the MFA to discuss proposals on UN sanctions issues, especially the U.S. proposal on procedural protections and fairness in the 1267 Committee. French officials had two primary concerns about the U.S. proposal: 1) a call for national governments to reinforce their delisting mechanisms might run into sovereignty objections by member-states, in addition to not being effective; and 2) expanding the number of states eligible to submit delisting petitions would make the delisting procedure too cumbersome, and might potentially lead to UNSC members being flooded with copy-cat requests for delisting. The GOF officials added that, although their proposal was meant to address UN sanctions regimes in general, they would not be opposed to first focusing on the 1267 Committee. End summary.

[1](#)2. (C) Julien Deruffe, the MFA's senior desk officer for terrorism, opened discussion with an explanation of factors France took into account in drafting its proposal. France, said Deruffe, was opposed to the Danish proposal of an independent ombudsman to deal with delisting, because of the need to safeguard the confidentiality of information and because decisions to list or delist were fundamentally the prerogative of member states and should not be delegated to the UN. Still, in order to respond to the concerns of Denmark and other European countries, France proposed a "focal point" to which all delisting petitions could be addressed. Deruffe emphasized that this would simply be a "mailbox" and that the final decision on delisting would still be made by member states. France feared that expanding the number of states eligible to submit delisting petitions would encourage those being sanctioned to flood states with duplicative petitions. Benoit Guidee, a desk officer in the IO directorate, added that expanding the number of states would also open up the procedure to political games. As an example, he said that if Venezuela were elected to the UNSC, it might constantly submit delisting petitions as a way to call attention to its anti-U.S., anti-West agenda and impede the work of the 1267 Committee. For these reasons, France would like to take politics out of the procedure and work to ensure its basic neutrality.

[1](#)3. (C) Guidee said that the U.S. suggestion to call for national governments to reinforce their delisting mechanisms could run into objections by governments such as Russia and China, would might consider this as interference in sovereign matters. As a practical point, France had no objection to the USG suggestion, said Guidee, although it questioned whether such a call would in fact be helpful. States likely to heed this call already have effective delisting procedures, and those likely to ignore it are precisely the ones that need to reinforce their national sanctions mechanisms. As an example, said Guidee, a country like Somalia would have no practical, short-term way to abide by such a call.

[1](#)4. (C) Deruffe and Guidee emphasized that France was eager to work with the U.S. to come to a consensus. The GOF would not be opposed, said Deruffe, to carving out an exception to the "mailbox" method that would allow member states to directly present delisting petitions to the 1267 Committee. They proposed that our respective missions in New York further discuss these issues. Guidee added that, whatever the final product, it would be important for it to be "visible," so that states such as Denmark and Sweden could show that "something was done." Revised delisting procedures are of vital importance to EU members, said Guidee, because they fear the status quo could be successfully overturned by European courts if delisting concerns are not met. Please visit Paris' Classified Website at:
<http://www.state.sgov.gov/p/eur/paris/index.cfm>

Stapleton